

## *Louis Budenz, the FBI, and the “List of 400 Concealed Communists”: an Extended Tale of McCarthy-Era Informing*

ROBERT M. LICHTMAN

For those who may not remember, Louis F. Budenz was the prototypical ex-Communist political informer of the McCarthy era, setting the standard for an entire class of informer-witnesses.

Ubiquitous during the period, Budenz was the principal Justice Department witness in the 1949 Foley Square Smith Act trial of the CPUSA's top leadership. His high-profile testimony before the Tydings subcommittee in April 1950, naming Johns Hopkins professor and China expert Owen Lattimore as a secret Party member, averted a threatened early end to Joe McCarthy's Red-hunting career—Joseph Alsop termed him “the Senator's rescuer-in-chief.” By 1953, when he testified in the McCarthy subcommittee's investigation of books by alleged Communists in State Department overseas libraries, Budenz was fawned over by Republican and Democratic lawmakers alike, as if he were an elder statesman or Nobel laureate. He wrote five books, hundreds of magazine and newspaper articles, and delivered countless lectures throughout the country, all warning in shrill terms of an internal Communist peril. “No man,” Richard Rovere wrote in 1955, “has had any greater influence on the public view of the Communist problem than Louis F. Budenz.”<sup>1</sup>

This article concerns an episode in Budenz's career as an ex-Communist informer—his creation of a “list of 400 concealed Communists.” Budenz's

---

<sup>1</sup>J. Alsop, “The Strange Case of Louis Budenz,” *The Atlantic Monthly*, April 1952, 30; Richard H. Rovere, “The Kept Witnesses,” in *The American Establishment and Other Reports, Opinions, and Speculations* (New York: Harcourt, Brace, 1962), 132 (reprinted from *Harper's* magazine, May 1955). See Ellen Schrecker, *Many Are the Crimes: McCarthyism in America* (Boston: Little, Brown & Co., 1998), 126 (Budenz became “the most important of all the ex-communist witnesses”). Foley Square trial: see Michael R. Belknap, *Cold War Political Justice: The Smith Act, the Communist Party, and American Civil Liberties* (Westport, CT: Greenwood Press, 1977), 83–86. Tydings testimony: see Robert Griffith, *The Politics of Fear: Joseph R. McCarthy and the Senate* (Amherst: University of Mass. Press, 2nd edn., 1987), 80–85; David M. Oshinsky, *A Conspiracy So Immense: The World of Joe McCarthy* (New York: The Free Press, 1983), 149–153. Fawned over: see Hearings, State Department Information Program-Information Centers. Before the Senate Permanent Subcommittee on Investigations, 83rd Congress, 1st Session (1953) (“Overseas Libraries Hearings”), 47–53; Oshinsky, *A Conspiracy So Immense*, 280 & note. Budenz's five books are *This Is My Story* (New York: McGraw Hill, 1947), *Men Without Faces: The Communist Conspiracy in the USA* (New York: Harper & Brothers, 1950), *The Cry Is Peace* (Chicago: Henry Regnery, 1952), *The Techniques of Communism* (Chicago: Henry Regnery, 1954); and *The Bolshevik Invasion of the West* (Linden, NJ: The Bookmailer, Inc., 1966).



FIG. 1. Louis Budenz delivering a lecture on Communism, August 1951 (Image donated by Corbis-Bettman).

intention in announcing a “400 list” was to promote his forthcoming new book; but Hoover’s FBI had other objectives. What followed was an outpouring of names to the Bureau, a process that consumed the better part of 1950 and 1951, including the names of scores of prominent artists, authors, and academics—some at the very apex of American cultural life. Budenz’s names triggered an exaggerated response from the Bureau, taxing its investigative resources and also revealing much about Budenz’s credibility. His list attracted the attention of HUAC, a development that increased the FBI’s anxiety. The “400 list” took on a life of its own, worthy of note.

Budenz was 54 years old when, on 10 October 1945, he defected from the Communist Party. He had been managing editor of the *Daily Worker* and a Party official. His defection was not spontaneous but rather a well-planned and well-publicized event, orchestrated by Monsignor (later Archbishop) Fulton J. Sheen, an urbane and articulate clergyman who made anticommunism his specialty. Sheen conducted a religious ceremony at St Patrick’s Cathedral in New York City before an audience of 200, erasing Budenz’s excommunication and baptizing members of his family, and arranged a teaching job for him at Notre Dame University. Budenz’s impending defection had been concealed

from his Party colleagues, and on the morning after the services at St Patrick's his name appeared in its usual place on the *Daily Worker's* masthead.<sup>2</sup>

FBI director J. Edgar Hoover, however, had been tipped off by Sheen to the planned defection. The Bureau closed its active criminal investigation of Budenz under the Foreign Agents Registration Act and instead arranged extensive interviews with him. The interview process, which began in early December 1945 at a hotel in South Bend, Indiana, was lengthy and exhaustive. The initial interviews were conducted from typed lists prepared by the Bureau, containing roughly 700 questions covering every phase of the Party's operations and Budenz's career. (At Budenz's insistence, both of the interviewing agents were "practical Catholics.") Budenz later estimated he spent 3,000 hours being interviewed by the FBI in the first few years following his defection.<sup>3</sup>

During the interviews, Budenz's long career in radical-left groups was a prime topic. He had not joined the Communist Party until 1935, when he was 44. In the preceding two decades, he had passed through a wide range of left-wing and labor organizations—even serving briefly as the ACLU's publicity director—associating with such varied individuals as Roger Baldwin, A. J. Muste and Sidney Hook, and editing a variety of publications. Immediately before joining the Communist Party, Budenz had been associated with the Workers Party of the United States, a Trotskyist organization. In fact, his knowledge of the Trotskyists' apparatus made him particularly attractive to the Stalinist-oriented CPUSA. In his FBI interviews, Budenz described to the agents his peripheral role in the successful plot to assassinate Leon Trotsky.<sup>4</sup>

---

<sup>2</sup>*NY Times*, 11 October, 1945 ("Daily Worker Editor Renounces Communism for Catholic Faith"), 12 October 1945 ("Foster Calls Budenz 'Deserter' From Labor; Sheen Tells How Editor Rejoined Church"); *NY Herald Tribune*, 11 April 1945 ("Editor Quits 'Daily Worker'; Returns to the Catholic Church"); *Wash. Times-Herald*, 11 October 1945 ("Editor of the Daily Worker Quits to Join Catholic Church") in Ladd to Director, 12 October 1945, FBI 100-63-122; Thomas C. Reeves, *America's Bishop: The Life and Times of Fulton J. Sheen* (San Francisco: Encounter Books, 2001), 170-172; Herbert L. Packer, *Ex-Communist Witnesses: Four Studies in Fact Finding* (Stanford, CA: Stanford University Press, 1962), 124; Budenz, *This Is My Life*, 347-351; FBI file 100-63 is Budenz's headquarters file.

<sup>3</sup>Closing investigation: see name-deleted SA to Bureau, 17 October 1945, FBI 100-63-124, 7 ("In view of BUDENZ' public statements that he has renounced Communism, this case is being closed ..."). Interviews: Strickland to Ladd, 3 December 1945, FBI 100-63-149X ("approximately 700 questions ... will be utilized"); Robert P. Newman, *Owen Lattimore and the "Loss" of China* (Berkeley: University of California Press, 1992), 266-267. The first few days of the interviews, which began on 6 December 1945, were recorded by the FBI via a hidden microphone. Coyne to Ladd, 17 December, 1945, FBI 100-63-143; *NY Times*, 8 February 1958 ("'45 Budenz Talks Recorded By FBI"). Budenz testified that three days of interviews in South Bend were followed by eight more days and then "consultations regularly" after he returned to New York in 1946. *United States v. Elizabeth Gurley Flynn, et al.*, C. 136-7 (S.D.N.Y.) ("Flynn trial"), 8 May 1952, tr. 2500-01. "Practical Catholics": Hearings, State Department Employee Loyalty Investigation, Before a Subcommittee of the Senate Committee on Foreign Relations, 81st Congress, 2d Session (1950) ("Tydings Hearings"), 602-603. 3,000 hours: Budenz, *The Cry Is Peace*, 137; Oshinsky, *A Conspiracy So Immense*, 149; Budenz testimony in Flynn trial, 9 May 1952, tr. 2583.

<sup>4</sup>FBI 100-63-149X (attached questions "Louis F. Budenz"); Budenz personal history given CPUSA "about" 1939 in SAC Chicago to Director, 10 January 1947, FBI 100-63-197; Budenz, *This Is My Life*, 41-80, 96-112; Packer, *Ex-Communist Witnesses*, 121; Report on Budenz, 21 January 1941, FBI

Budenz's ten years in the Communist Party, which included membership on the Party's national committee, had been devoted largely to journalistic assignments. In 1938, he became editor of the *Midwest Daily Record*, a new Party newspaper in Chicago, which expired after the Hitler-Stalin pact was signed in 1939. At the *Daily Worker*, he continued the Party's anti-war stance (writing that "workers everywhere do not want their sons to die, mangled scraps of flesh ... in order to enrich Wall Street") until June 1941, when the Nazi invasion of the Soviet Union led to another 180-degree turn in the Party line. With his comprehensive knowledge of the Party's inner workings, Budenz was able in his interviews to identify to the FBI a very substantial number of Communists. His interviewees focused on individuals associated with Soviet espionage and those employed by the federal government.<sup>5</sup>

In October 1946, following a year of silence imposed by Notre Dame, Budenz moved to Fordham University in New York City and began rapidly to build a career naming Communists in public forums. That month he told the *New York Times* that Gerhard Eisler, a German Communist, was the "secret head" of Communists in America, a charge he repeated before HUAC in November. (The shadowy Eisler fled to East Germany after being convicted of contempt of Congress.) In March 1947, at House Labor Committee hearings, Budenz named two UAW officials, Harold Christoffel and Robert Buse, as Party members who participated in a Communist-ordered strike at Allis-Chalmers in 1940. In a 1947 INS deportation proceeding, he named as a Party member John Santo, a Romanian-born official of the Transport Workers Union.<sup>6</sup>

He also began to name publicly as Communist Party members individuals whom admittedly he neither had known nor seen at a closed Party function. In

---

*Footnote continued*

100-63-6, 1, 8a. The Workers Party of the United States was a short-lived successor to the American Workers Party, a short-lived organization headed by Muste, with which Hook and Budenz were associated. Mari Jo Buhle, Paul Buhle, and Dan Georgakas, ed., *Encyclopedia of the American Left* (Urbana, IL: University of Illinois Press, 1992), 32-33, 795. Trotskyists and Trotsky assassination: Coyne to Tamm, 27 May 1946, FBI 100-63-169; see Harvey Klehr, John Earl Haynes and Fridrikh Iгореvich Firsov, *The Secret World of American Communism* (New Haven, CT: Yale University Press, 1995), 142-143; John Earl Haynes and Harvey Klehr, *VENONA: Decoding Soviet Espionage in America* (New Haven, CT: Yale University Press, 1999), 278; Allan Weinstein and Alexander Vassiliev, *The Haunted Wood: Soviet Espionage in America - The Stalin Era* (New York: Random House, 1999), 30.

<sup>5</sup>Packer, *Ex-Communist Witnesses*, 122-123; FBI 100-63-149X; Howe to Ladd, 11 December 1945, FBI 100-63-160. *Midwest Daily Record*: Budenz testimony in *United States v. William Z. Foster, et al.*, C. 128-187 (SDNY), 23 March 1949, trial tr. 1386-1387; Budenz, *This Is My Story*, 183. Budenz's anti-war statement quoted in Earl Latham, *The Communist Controversy in Washington: From the New Deal to McCarthy* (Cambridge, MA: Harvard University Press, 1966), 154.

<sup>6</sup>Year of silence: Budenz, *This Is My Story*, ix-x. Eisler: *NY Times*, 18 October 1946 ("Budenz Names the 'Secret Head' Of Communists in United States"), 23 November 1946 ("All Communists Here Are Spies, Budenz, Once Red, Tells Hearing"); Walter Goodman, *The Committee: The extraordinary career of the House Committee on Un-American Activities* (New York: Farrar, Straus & Giroux, 1968), 184-186, 190-191, 193. Eisler had been a prominent subject in the FBI's South Bend interviews (FBI 100-63-149X). Christoffel and Buse: *NY Times*, 14 March 1947 ("Police Are Blamed in Labor Rackets"). Santo: *NY Times*, 13 September 1947 ("Budenz Calls Santo a Leader in Red Infiltration of Unions").

such cases, Budenz would often testify that someone in the Party told him in his "official capacity" that the named individual was a "concealed" Communist. While his testimony was hearsay, rules of evidence were not applied by HUAC or the other congressional committees. Nor was his testimony likely to be challenged: even if he identified a specific Party official as his source, the committees normally had no interest in impeaching Budenz, a "friendly" and useful witness, and in any case the Party official if called would likely invoke the Fifth Amendment.

When, in August 1948, Whittaker Chambers accused Alger Hiss in highly-controversial testimony before HUAC, Budenz was called by the Committee to lend confirmation. He testified, "I do not know him [Hiss] personally, but I have heard his name mentioned as a Communist." Budenz explained that on the basis of conversations with Party leaders, he "regarded [Hiss] always" as a Communist and "under Communist discipline." In response to questions from committee member Richard M. Nixon, Budenz affirmed that "others in the party" regarded Hiss as a Party member.<sup>7</sup>

Budenz's 1950 testimony before the Tydings subcommittee, in which he named Owen Lattimore, followed a similar format. While that story is well known, we summarize it here because of its close connection to the principal subject of this article, Budenz's "list of 400 concealed communists."<sup>8</sup> The Tydings hearings arose out of Joe McCarthy's famous Lincoln Day speech in Wheeling, West Virginia, and his purported list of 205 (later 57 and then 81) Communists employed at the State Department with the knowledge of the Secretary of State. The Democratic leadership in the Senate, seeing a golden opportunity to discredit the Wisconsin senator, established a special subcommittee, chaired by Millard Tydings, the respected and impeccably conservative chairman of the Armed Services Committee, to investigate McCarthy's charge—in effect challenging him to "put up or shut up." But McCarthy, guided by Alfred Kohlberg, a leader of the pro-Chiang "China lobby," and J. B. Matthews, formerly a staff official with the Dies committee and then an advisor to Hearst publications, accused Owen Lattimore, an occasional State Department advisor on China, initially charging that he was "the top Russian espionage agent" in the United States. Lattimore, a respected college professor and prolific author, who vigorously denied under oath any Communist taint, seemed a most unlikely target. Matthews, however, recruited a witness for McCarthy—Budenz.<sup>9</sup>

---

<sup>7</sup>Hearings Regarding Communist Espionage in the United States Government, Before the House Committee on Un-American Activities, 80th Congress, 2d Session (1948) ("1948 HUAC Hearings"), 1037–1039; *New York Times*, 27 August 1948 ("Communists Held Hiss To Be Member, Budenz Testifies").

<sup>8</sup>The story is told in Griffith, *The Politics of Fear*, 74–101; Oshinsky, *A Conspiracy So Immense*, 147–157, 168–172; Stanley I. Kutler, *The American Inquisition: Justice and Injustice in the Cold War* (New York: Hill and Wang, 1982), 185–198; Newman, *Owen Lattimore*, 265–286, 300; Thomas C. Reeves, *The Life and Times of Joe McCarthy: A Biography* (New York: Stein and Day, 1982), 268–314; Fred J. Cook, *The Nightmare Decade: The Life and Times of Senator Joe McCarthy* (New York: Random House, 1971), 209–271.

<sup>9</sup>Oshinsky, *A Conspiracy So Immense*, 108–119, 136–138, 144–150; Kutler, *The American Inquisition*, 190–95; Griffith, *The Politics of Fear*, 48–66, 74–81. McCarthy numbers: see Report of the Committee on Foreign Relations Pursuant to S. Res. 231, Rept. No. 2108, 81st Congress, 2d Session issue (July



FIG. 2. J. B. Mathews, former top staffer for the Dies Committee and in 1950 a Hearst Consultant, recruited Buelenz to testify against Owen Lattimore in the Tydings hearings (Courtesy of the Rare Book, Manuscript, and Special Collections Library, Duke University).

When he appeared before the Tydings subcommittee on 20 April Budenz readily admitted that he had never seen Lattimore and did not know him; nor did he know of any espionage activities by him. But Budenz identified Latti-

---

*Footnote continued*

20, 1950) (“Tydings Report”), 2–3. Mathews: see text in this issue; see also Murray Kempton, “O’er

more as a Communist on the basis, he said, of information "given to me officially as managing editor of the *Daily Worker*." Budenz cited several Party meetings—at none of which Lattimore was present—at which he said he heard Lattimore referred to favorably by Party officials in connection with China policy. He also relied on conversations with Jack Stachel, a top Party official whose task it was, he said, to keep "refreshing me on a list of about a thousand names which I was compelled to keep in my mind," a list that "was not put down in writing because of the fact it might be disclosed." Stachel told him, Budenz said, that the *Daily Worker* should treat Lattimore as a Communist.<sup>10</sup>

Budenz also cited documents he said he had seen but were no longer in existence. "[U]p until 1940 or '41," he testified, he received as a member of the Party's national committee reports on onionskin paper that discussed Lattimore, referring to him as "L" or "XL." Stachel instructed him, Budenz said, that "these onionskin papers were considered so confidential that we were forbidden to burn them. We had to tear them up in small pieces and destroy them through the toilet." He knew that "L" and "XL" referred to Lattimore because "[t]hat was told me by Jack Stachel."<sup>11</sup>

No corroboration existed for Budenz's testimony. Stachel, who had been convicted in the 1949 Foley Square Smith Act trial, did not appear at the hearings, pleading illness in response to the subcommittee's subpoena. Bella Dodd, an ex-Communist who did appear—she had been expelled from the CPUSA in 1949 after having served on its national committee since 1944—testified that she "never heard [Lattimore's] name mentioned by party leaders or members of the party, either as a party member or as a fellow traveler or even as a friend of the Communist Party." She added that "I never saw an onionskin document such as Mr Budenz says he was told to flush down the toilet."<sup>12</sup>

While a McCarthy-era informer-witness rarely suffered impeachment at the

---

Footnote continued

Moor and Fen: J. B. Matthews and the Multiple Revelation," *Part of Our Time, Some Monuments and Ruins of the Thirties* (New York: Dell Publishing Co., 1955), 154–179. Kohlberg: Scheidt to Director, 12 April 1950, FBI 100–24628–1151 ("BUDENZ STATED ... KOHLBERG ACTED AS HIS LIAISON MAN WITH MCCARTHY"); see Joseph Keeley, *The China Lobby Man: The Story of Alfred Kohlberg* (New Rochelle, NY: Arlington House, 1969). The Tydings unit was a subcommittee of the Foreign Relations committee.

<sup>10</sup>Tydings Hearings, 487–557; "thousand names" (489); "given to me officially" (491). See *NY Times*, 21 April 1950 ("Lattimore Accused By Budenz As a Red; Backed By General"); Newman, *Owen Lattimore*, 281–285; Packer, *Ex-Communist Witnesses*, 129–131; Oshinsky, *A Conspiracy So Immense*, 150–53; Griffith, *The Politics of Fear*, 81–84. Budenz returned for additional testimony in closed session on 25 April (Tydings Hearings, 571–630).

<sup>11</sup>*Ibid.* at 495, 516–17.

<sup>12</sup>Stachel: see *New York Times*, 27 April 1950 ("Browder Agrees to Testify Today"). Dodd: Tydings Hearings, 631–666; "never heard" (634); "never saw" (637); *NY Times*, 26 April 1950 ("Bella Dodd Terms Budenz 'Dishonest'"). While Stachel did not appear, deposed CPUSA chief Earl Browder, who Budenz said had been present at one of the meetings at which Lattimore's name was mentioned, did testify (Tydings Hearings, 669–707); he "categorically" denied that such a meeting ever took place (673) and denied having heard Lattimore's name in Party circles, but he refused to answer some other questions. See Packer, *Ex-Communist Witnesses*, 152–154.



FIG. 3. Louis Budenz (back to the camera) testifying before the Tydings committee with Joe McCarthy looking on, April 1950 (Image donated by Corbis-Bettman).

hands of a congressional committee, the Democratic majority on the Tydings subcommittee sought actively to impeach Budenz's testimony. Not only did the subcommittee hear Dodd and other adverse witnesses, but also Budenz was cross-examined. Among other things, he was forced to admit that he had not named Lattimore in a 1949 article he published in *Collier's*<sup>13</sup> magazine specifically directed to Communist influences on America's China policy. Nor had he mentioned Lattimore during a 1947 telephone interview on the same subject with a State Department investigator. Most importantly, Budenz had never named Lattimore in the course of his lengthy interviews with the FBI. In fact, he told the Tydings subcommittee he had not mentioned Lattimore to the Bureau until "very recently"—"a couple of days" after he learned from the press that subcommittee members had examined Lattimore's FBI file summary.

Budenz, to be sure, had explanations for failing to name Lattimore to the FBI. It was not his practice, he said, to give "concentrated information" to the Bureau until a trial was imminent. A second explanation was that "I can't give the FBI everything I know because of the physical limitations." A third was that he was occupied "compiling this list of 400 concealed Communists" to be given the Bureau. He was compiling the list "*seriatim*," Budenz told the

<sup>13</sup>*Collier's* article: Tydings Hearings, 502, 505–516; Packer, *Ex-Communist Witnesses*, 134–137. The article is by Louis Francis Budenz, "The Menace of Red China," *Collier's*, March 19, 1949. State Department interview: Tydings Hearings, 581–583; Belmont to Ladd, 27 April 1950, FBI 100–24628–1324; Packer, *Ex-Communist Witnesses*, 137–139. FBI interviews: Tydings Hearings, 493–94, 519–21, 608–09; Scheidt to Director, 16 April 1950, FBI 100–24628–1822; Belmont to Ladd, 11 April 1950, FBI 100–24628–724; Belmont to Ladd, 15 April 1950, FBI 100–24628–725; Director to Attorney General, April 11, 1950, FBI 100–24628–488. FBI file 100–24628 is captioned "OWEN LATTIMORE, ESPIONAGE-R."



subcommittee, and “[m]y impression is that I have already turned over to the FBI 200 of these names, and am continuing to do so...”<sup>14</sup>

The Tydings subcommittee’s report, adopted on a party-line vote, concluded that Budenz’s testimony “is hearsay and corroboration is, to a very great extent, lacking.” His failure to name Lattimore to the FBI earlier, it found, was “necessarily puzzling.” And a four-page section of the report was devoted to “[t]estimony contradictory to that of Budenz.” But in a separate statement, Republican Senator Henry Cabot Lodge of Massachusetts gave a ringing endorsement of Budenz’s credibility, noting that it is “apparently considered good” by the Justice Department.<sup>15</sup>

Budenz came out of the Tydings hearings with an enhanced reputation. Because his testimony gave at least some credence to McCarthy’s charges, the senator’s Republican colleagues stood solidly behind him. Budenz, Joseph Alsop wrote, had saved McCarthy “from universal, immediate discredit.”<sup>16</sup>

\* \* \* \*

The genesis for Budenz’s testimony to the Tydings subcommittee that he had a “list of 400 concealed Communists” was apparently a passage in his new, soon-to-be-published book *Men Without Faces: The Communist Conspiracy in the USA*. “[I]f I were permitted to,” Budenz had written, “I could name more than four hundred concealed Reds functioning as editorial writers, actors, authors, educators, physicians and the like.” But, he added, “our present libel laws, which make it libelous to call a man a Communist, although it is not criminal for him to be one, render it impossible for me to call this roll.” He did not explain to his readers why, if he feared a libel action, he did not privately deliver the four hundred names to the FBI or, indeed, given the ample opportunities he’d already had, whether he had in fact done so.<sup>17</sup>

As it turned out, news of Budenz’s “400 list” claim did not reach the FBI until shortly before the Tydings hearings began, and it came via an indirect and unusual route. On 25 March 1950, J. B. Matthews had phoned Budenz at his home to inquire whether he would appear as a witness at the hearings and name Lattimore as a Communist Party member. The relevant conversation was as follows:

M: ... I have a question to ask you.

B: Yes, sir.

M: Would you be able if called upon to identify Owen Lattimore as a party member by virtue of your position on the *Daily Worker*?

---

<sup>14</sup>Tydings Hearings, 493 (“physical limitations”), 520 (“concentrated information”), 520–521 (“list of 400”).

<sup>15</sup>Tydings Report, 57 (first two quotations), 57–60 (“contradictory” testimony section). Lodge statement (Part 2 of Rept. No. 2108), 17.

<sup>16</sup>Alsop, “The Strange Case of Louis Budenz,” 30. Robert Griffith stated: “Whatever the probative value of the Budenz testimony, it was greedily seized upon by Republican partisans as proof of GOP charges of long standing, and by the end of April close observers discerned a steady growth of support for McCarthy from within his party” (*The Politics of Fear*, 87).

<sup>17</sup>Budenz, *Men Without Faces*, 234.

- B: Ah, you mean if I were subpoenaed [sic]?  
 M: Yes, that is what I mean.  
 B: It would be hearsay identification....  
 M: It would be because you had to know in your job?  
 B: That's right. I know 400 concealed Communists, J.B., that I cannot mention.  
 M: I understand.  
 B: Because if I did, why, there would be such a furor that I would be discredited.

Within a few days, a transcript of this phone conversation was in the possession of the FBI, having been recorded not by the Bureau but evidently by Matthews.<sup>18</sup>

The recorded conversation caused a stir at FBI headquarters. D. Milton ("Mickey") Ladd, an assistant director in charge of domestic intelligence, was informed by Alan Belmont (a subordinate, later to become an assistant director) that "from information furnished to us by Senator McCarthy it appeared that J. B. Matthews had telephonically contacted Mr. Budenz [on March 25] for the purpose of finding out whether Budenz could identify Lattimore as a Communist." Ladd recommended to the director that the transcript of the conversation be furnished the attorney general, J. Howard McGrath. The portion of Ladd's memorandum that disclosed how the Bureau obtained the transcript, however, has been redacted by FOIA censors.<sup>19</sup>

At the time it learned of the Matthews-Budenz conversation, the FBI, already aware that Budenz might be a witness in the Tydings hearings, was re-interviewing him to find out what he would tell the subcommittee and, in that connection, why he hadn't mentioned Lattimore in earlier FBI interviews. Always apprehensive of criticism, the Bureau and its director were concerned that Budenz would disclose in his testimony information the FBI didn't have and that its questioning of him in the past would appear to have been lax. Hoover wrote in the margin of a report describing an interview with Budenz on 27 March, "Why didn't we ask Budenz why he hadn't told us [about Lattimore] sooner? We have been in almost constant touch with him for months." When the question was put to Budenz several days later, he replied, the interviewing agent reported, that "HE NEVER MENTIONED WHAT HE KNEW ABOUT

---

<sup>18</sup>Director to Attorney General, 10 April 1950, FBI 100-24628-515 (includes transcript of conversation); Scheidt to Director, 4 April 1950, FBI 100-24628-529; Hennrich to Belmont, 2 April 1950, FBI 100-24628-515. The transcript does not identify which of the two men is the speaker, but that is evident from the substance of the conversation.

<sup>19</sup>Belmont to Ladd, 4 April 1950, FBI 100-24628-360; Ladd to Director, 10 April 1950, FBI 100-24628-459. McCarthy had written a letter to Budenz on 14 March asking whether he would testify about Lattimore, to which Budenz had not responded. Scheidt to Director, 28 March 1950, FBI 100-24628-226, 3. Ladd and Belmont: Athan G. Theoharis, ed., *The FBI: A Comprehensive Reference Guide* (New York: Checkmark Books, 2000), 316, 338; Athan Theoharis, ed., *From the Secret Files of J. Edgar Hoover* (Chicago: Ivan R. Dee, 1991), 365.

LATTIMORE BECAUSE HIS INFORMATION WAS FLIMSY. IT WAS NOT LEGAL AND HE HAD DEVOTED MOST OF HIS TIME TO FURNISHING LEGAL EVIDENCE TO THE FBI."<sup>20</sup>

At his 27 March interview, Budenz told agents from the New York office that "he never met [Lattimore] but heard about him many times" and had no doubt he was a Communist. Hoover explained to the attorney general that based on interviews prior to 27 March, "[t] here was no reason to believe that Budenz knew Lattimore. ..." When interviewed on 27 March, the director's letter continued, Budenz "specifically stated that he did not know Lattimore personally. He then furnished certain information which he has added to on an almost day to day basis since that time."<sup>21</sup>

At an interview on 4 April, at his suburban New York home, Budenz was questioned for the first time about "the 400 concealed Communists" he had mentioned in his phone conversation with Matthews. "Budenz stated that he has never prepared a written list of concealed Communists," the New York office reported, but he has "compiled a mental list and he feels that he knows approximately 400 persons. These 400 persons are Communists." Budenz's list, the report continued, "does not include persons who were merely sympathetic with the Party or who were known to him to be under Party discipline. It only includes Communists." He told the agents that "he would begin as soon as possible and prepare a written list of these individuals."<sup>22</sup>

Budenz in fact started the process on the spot, giving the Bureau 32 names. All but six of these names were deleted by FOIA censors from the copy of the report furnished this author in 2000. The six names not redacted are: filmmaker Charles Chaplin, actor Frederic March, author Dorothy Parker, singer-actor Paul Robeson, and authors Edgar Snow and Anna Louise Strong. In the FBI director's account of the interview to the attorney general, several additional names were not redacted, including author Lillian Hellman, screenwriter Donald Ogden Stewart, director Herbert Biberman (one of the Hollywood Ten), and dancer Paul Draper. By 10 April, Budenz had added 104 names, bringing his total to 136. Added names not redacted were those of actors John Garfield and Edward G. Robinson, detective-story writer Dashiell Hammett, and screenwriter Ring Lardner, Jr. (another one of the Hollywood Ten). All of the names were supplied by Budenz orally, with no supporting data.<sup>23</sup>

---

<sup>20</sup>Ladd to Director, 10 April 1950, FBI 100-24628-1821; Scheidt to Director, 16 April 1950, FBI 100-24628-1822. See Griffith, *The Politics of Fear*, 80 ("The fact that Louis F. Budenz would testify in the Lattimore case had been an open secret in Washington for some time").

<sup>21</sup>FBI 100-24628-226; Director to Attorney General, 11 April 1950, FBI 100-24628-488.

<sup>22</sup>SAC NY to Director, 11 April 1950, FBI 100-63-323; FBI 100-24628-515, 6; Scheidt to Director, 4 April 1950, FBI 100-24628-444.

<sup>23</sup>FBI 100-63-323; FBI 100-24628-515; Ladd to Director, 20 April 1950, FBI 100-63-328; NYO to Director, 10 April 1950, FBI 100-63-324. The "Hollywood Ten" were a group of screenwriters who had made defiant appearances before HUAC in 1947 and were cited for contempt. See, for example, Victor S. Navasky, *Naming Names* (New York: Viking Press, 1980), 80-84. The chief of the FBI's Record/Information Dissemination Section advised in 2003 that no additional names in the Budenz file have been released since 2000 (David M. Hardy to Lichtman, 25 August 2003). The Bureau's

During the week of 10 April, Budenz, on a trip to several Michigan cities to lecture and to promote his book, referred repeatedly to four hundred concealed Communists. Asked during an interview on a Detroit radio station whether he would name names in his book, he responded, “in addition to the names I do name ... there are some four hundred concealed Communists whom unfortunately I cannot name due to the peculiar atmosphere existing in the United States today.” The 400, he added, all have a record of Communist front membership and “association with pro-Communist activity.” The *Detroit Times* quoted Budenz as saying that *Men Without Faces* was not merely a “picturesque” book title, for “[t]here are people—the concealed Communists—whose faces the Party did not want to appear, ever.” He told a Midland audience that the four hundred were “not necessarily only in government, but in Hollywood and other places.” FBI director Hoover, receiving a report on the Midland speech, wrote an unequivocal instruction in the margin: “We should make every effort to get from Budenz the ‘400’ names.”<sup>24</sup>

When on Saturday, 15 April, Budenz returned to New York City, FBI agents met him at the airport, but he pleaded fatigue and later asked that he not be required to resume work on the 400 names until after his 20 April appearance before the Tydings subcommittee. His public references in Michigan to the “400 list,” however, had not gone unnoticed: Sunday’s *New York Times* carried a front-page article headed “Senators Will Ask Budenz to Identify Secret Communists.” Three days later, on 19 April, the liberal *New York Post* published an editorial item, headed “Budenz Vs. J. Edgar Hoover,” that illustrated precisely the reason for Hoover’s concern. “The former Daily Worker editor is saying in effect,” the *Post* jibed, “that all the investigative talents of the FBI have failed to uncover 400 real, live, active Communists now holding Federal office.” (Budenz had said nothing about federal office.) Hoover reacted in a terse handwritten note at the bottom of the clipping, “We should press Budenz for it.”<sup>25</sup>

In his 20 April testimony, Budenz told the Tydings subcommittee that he did not think there were any government employees among the four hundred Communists, but that his list was still “a very impressive one” covering such “classifications” as “No. 1, Hollywood; No. 2, radio; No. 3, other organs of public opinion, in the professional classes and the like.” The subcommittee did

---

*Footnote continued*

rationale for resisting disclosure is that, even 50 years later, named individuals may still be living; but for those seeking the names, proving unidentified persons to be dead poses an obvious Catch-22 problem.

<sup>24</sup>O’Connor to Director, 12 April 1950, FBI 100–63–314 (including Hoover instruction); Baumgardner to Belmont, April 26 1950, FBI 100–63–333; O’Connor to Director, April 13 1950, FBI 100–63–312; O’Connor to Director, 14 April, 1950, FBI 100–63–315; *New York Times*, 12 April 1950 (“Budenz Says He Is Surprised”) (Up dispatch).

<sup>25</sup>FBI 100–24628–1151 (to be met at airport); Scheidt to Director, April 18 1950, FBI 100–24628–1023; Scheidt to Director, 19 April 1950, FBI 100–24628–1332, 2; clipping from 19 April, 1950, *New York Post & Home News*, FBI 100–63–370; *New York Times*, 16 April, 1950 (“Senators Will Ask Budenz to Identify Secret Communists”).

not ask Budenz to provide names. The following day, however, he gave 64 more names to the FBI, bringing his total to 200. Only three names listed in the Bureau's report were not redacted: those of historian Herbert Aptheker, sociologist and author W. E. B. Du Bois, and actress Gale Sondergaard (the wife of Herbert Biberman).<sup>26</sup>

By this time, the naming process had become sufficiently regularized to merit its own caption in the FBI's recordkeeping system: "400 CONCEALED COMMUNISTS REVEALED BY LOUIS F. BUDENZ, SECURITY MATTER - C." Indeed, the matter began to pose an administrative problem for the agency. The special agent in charge of the New York office, Edward Scheidt, advised headquarters that of the first 130 names checked, 53 resided outside the New York region; he asked that follow-up work for Budenz's names be undertaken in the region where the individual resided. While the director's office had no objection to this procedure, it demanded expedition "in view of public statements being made by Budenz concerning the '400 names'" and directed that supporting information be obtained from Budenz in addition to the names. The matter, it said, was "one of urgent necessity."<sup>27</sup>

The Bureau's need for expedition evidently did not stem from national security considerations, for few if any of Budenz's names were new to it. Of the 134 individuals named by Budenz prior to his subcommittee testimony, Belmont advised Ladd on 3 May, "investigations have been conducted concerning 113; 26 are key figures; 83 are subjects of security index cards and a number of others formerly have been subjects of security index cards ... As far as can be ascertained without identifying data, none of the 134 presently are employed by the Federal Government." "Security index cards" denoted individuals secretly selected by the FBI for custodial detention in the event of war or national emergency; "key figures" were persons singled out for present surveillance.<sup>28</sup>

In an May 8 interview, Budenz named an additional 128 individuals, bringing his total to 328, and on 18 May he gave 134 more names, putting his total over the top at 462. The 18 May names, Ladd reported, were given after some prompting: "According to the New York Office the instant 134 names were recalled by Budenz from a review of the files of members or sponsors of" several left-wing arts organizations, including the American Artists Congress, Artists Front to Win the Peace, and Films for Democracy. Six unredacted

<sup>26</sup>Tydings Hearings, 521, 538; Ladd to Director, 4 May 1950, FBI 100-63-326; SAC NY to Director, April 25 1950, FBI 100-63-NR.

<sup>27</sup>*Ibid.*; Scheidt to Director, 1 May 1950, FBI 100-63-332; Director to SAC NY, 2 May 1950, FBI 100-63-325X.

<sup>28</sup>Belmont to Ladd, May 3, 1950, FBI 100-63-342. On "security index cards" and "key figures," see Frank J. Donner, *The Age of Surveillance: The Aims and Methods of America's Political Intelligence System* (New York: Vintage Books, 1981), 162-169; Athan Theoharis, *Spying on Americans: Political Surveillance from Hoover to the Huston Plan* (Philadelphia: Temple University Press, 1978), 40-64. "Security index" data were stored on IBM cards. "By the end of 1954," Theoharis reports, "some 26, 174 names were on this secret Security Index" (*The FBI*, 180). Prior to his 1945 defection, Budenz himself had been listed on the "Security Index" and the "key figures" list. (SAC NY to Director, 19 October 1945, FBI 100-63-124.)

names were listed in Ladd's report: those of actors James Cagney, Lee J. Cobb, Sam Jaffe and Zero Mostel, folk musician Woody Guthrie, and author-cartoonist James Thurber. The New York office's report also included actor Jose Ferrer.<sup>29</sup>

The naming process, however, was not complete. Budenz advised the Bureau that 462 was "by no means the total number of concealed Communists" and "[h]e can and will name many more"—albeit he cautioned in view of the "great speed" with which his list had been compiled that he wanted to review it and to remove any names given in error. A two-part recordkeeping procedure was developed. It entailed preparation of a form letter to be placed in the file of each individual named, stating that he or she had been named by Budenz as a concealed Communist, and a "blind memo" dictated by Budenz in which he sought to describe how he knew the particular individual to be a Communist.<sup>30</sup>

On 10 June, the New York office delicately raised with headquarters the issue of compensation for Budenz. He is not paid by Fordham during the summer months, Scheidt noted, and must give lectures to make an income. "Although Budenz has never been offered money and has never requested any ... it is felt that arrangements might be made with him to pay him a sum of money for the time he devotes to the furnishing of information on the four hundred and sixty-two concealed Communists." Scheidt suggested \$100, the equivalent of a \$25 per day witness fee for four days. Hoover wrote, "OK."<sup>31</sup>

Budenz continued to name more names and also to remove names from his list. On 14 July, he added 83 to the 462 names given previously and at the same time removed 45, leaving a net of exactly 500 names. The 83 new names were, with only one exception, redacted by the FOIA censor—the exception was Dorothy Parker, who had been named earlier. With respect to the 45 names removed from the list, the New York office reported, "BUDENZ struck the following six of the 45 from the list [all redacted] because he felt they were open rather than concealed Communists ... BUDENZ struck the other thirty nine from the list because there was some question in his mind as to the identity of the individual." The 39 stricken names were likewise redacted, with one exception—James Thurber.<sup>32</sup>

---

<sup>29</sup>SAC NY to Director, 10 May 1950, FBI 100-63-329; Ladd to Director, 17 May 1950, FBI 100-63-334; Ladd to Director, 1 June 1950, FBI 100-63-344; SAC NY to Director, 24 May 1950, FBI 62-8988-225. FBI file 62-8988 is Budenz's New York Office file.

<sup>30</sup>FBI 100-63-344. Two-part procedure: see Scheidt to Director, 9 July 1950, FBI 100-63-NR (letter for name-deleted individual named by Budenz on 26 June 1950); Scheidt to Director, 3 July 1951, FBI 100-63-NR (letter for name-deleted individual named by Budenz on 19 June 1951); Scheidt to Director, 7 December 1950, FBI 100-24628-2969 (letter and "blind memo" naming Lattimore). The "blind memos" were signed by Budenz and placed in his New York office file (FBI 62-8988, changed to 66-6709), evidently without a serial number; a small number of the memos, virtually all one page or less in length, directed to individuals whose names were not redacted in the headquarters file materials, have been released.

<sup>31</sup>Scheidt to Bureau, 14 June 1950, FBI 100-63-348; see Belmont to Ladd, 15 December 1951, FBI 100-63-440.

<sup>32</sup>SAC NY to Director, 14 July 1950, FBI 100-63-351.

Budenz, the report continued, had dictated "blind memos" for 398 of the 500 individuals named. As to the remaining 102, he "tried to prepare a memo" but had been unable to do so. "He is sure they are all concealed Communists," the New York office explained, but "at the present time he cannot recall just how he knows the individuals are Communists. He feels that in many cases his recollection will be refreshed by going through the 'Daily Workers' and he will then recall how he knows of their Communist connections." The names of the 102 individuals were listed in the report, but only one was not redacted—Haakon Chevalier, a one-time friend of Manhattan Project director J. Robert Oppenheimer, who had proposed to him transmitting scientific information to Soviet scientists and became in the 1940s the subject of close FBI surveillance.<sup>33</sup>

Meanwhile, a new factor intervened: HUAC demanded that Budenz provide his 400 names to the committee. This development was foreshadowed in a 6 July report by Scheidt, advising that after Budenz "COMPLETED FURNISHING ALL THE DATA IN HIS POSSESSION CONCERNING THE FOUR HUNDRED CONCEALED COMMUNISTS," he wanted the Bureau to provide him "A COPY OF THE INFO FURNISHED BY HIM." Scheidt recommended that Budenz be given a copy of each "blind memo," pointing out that if he must testify before a congressional committee about the "400 list," there would be "NO CHANCE OF A CONFLICT IN HIS TESTIMONY" if he had the memos in his possession. Headquarters did not object. On 13 July, two HUAC investigators visited Budenz's home, and four days later he received a HUAC subpoena and accompanying letter requiring him to appear and testify concerning "[t]he names of approximately 400 individuals whom you know to have been members of the Communist Party or associated therewith."<sup>34</sup>

HUAC's action elicited an urgent message from the FBI director inquiring whether the New York office had "IN YOUR POSSESSION NOW ALL INFO BUDENZ WILL FURNISH TO HOUSE COMMITTEE." Scheidt's response was affirmative, but still not wholly reassuring: "BUDENZ STATED THAT THESE NAMES WILL BE FURNISHED IN HIS TESTIMONY AS THEY HAVE BEEN FURNISHED TO THE BUREAU, UNLESS SOME REASON EXISTS FOR SUBSTITUTING A FEW NAMES."<sup>35</sup>

On 29 August, Budenz went to Washington and, without being called to testify, turned over the names and data to HUAC. "THE COMMITTEE USED TEN

---

<sup>33</sup>*Ibid.* On Chevalier, see Charles P. Curtis, *The Oppenheimer Case: The Trial of a Security System* (New York: Simon and Schuster, 1955), 58–113; Haakon Chevalier, *Oppenheimer: The Story of a Friendship* (New York: George Braziller, 1965); Athan Theoharis, *Chasing Spies: How the FBI Failed in Counterintelligence But Promoted the Politics of McCarthyism in the Cold War Years* (Chicago: Ivan R. Dee, 2002), 68–69, 262 n. 12; Weinstein and Vassiliev, *The Haunted Wood*, 216.

<sup>34</sup>Scheidt to Director, 6 July 1950, FBI 100–63–350; Scheidt to Director, 13 July 1950, FBI 100–63–353; HUAC subpoena and letter from John S. Wood, Chairman, to Louis Budenz, both dated 15 July 1950, in Records of the US House of Representatives, House Un-American Activities Committee (Records Group 233), National Archives and Records Administration, Washington, DC ("HUAC Records").

<sup>35</sup>Hoover to SAC NY, 20 July 1950, FBI 100–63–356; Scheidt to Director, 20 July 1950, FBI 100–63–357.

STENOGRAPHERS [SIC] TO COPY THE DATA IN BUDENZ'S POSSESSION," Scheidt reported, "WHICH WAS THE DATA HE HAS ALREADY FURNISHED THE BUREAU." The next day's *New York Times* published a photo of Budenz arriving for his HUAC appointment briefcase in hand, but the nature of his errand was not reported. The story, however, was quickly leaked. A September 1 article in the right-wing *Washington Times-Herald* stated that Budenz had turned over a "six inches thick" document containing "the names and histories of 380 leaders of the Communist party" in the US. "The hottest and most completely documented report ever compiled on American Communists," the article crowed, "is blistering the hands of the Democratic members" of HUAC. However, a few days later, Louis Nichols, Hoover's top political aide, advised that HUAC staffers were against releasing the list to the public "because it would then open up the way for some four or five hundred people to come in and demand a hearing and then deny the charges."<sup>36</sup>

When the *Times-Herald* article reached Hoover, he wrote in the margin: "Did Budenz give us a copy?" Inquiry revealed that while Budenz gave HUAC names and data for 380 individuals, he had dictated only 378 memos for the FBI. The two missing memos, Scheidt reported, were for Jack Hall, a local leader in Hawaii of Harry Bridges' International Longshoremen and Warehousemen's Union, who would soon be indicated in a Smith Act case, and (doubtless an anti-climax to the Bureau) Owen Lattimore. As to the shortfall of twenty names from the list of 400, Scheidt explained that Budenz had furnished data on the twenty individuals "DURING THE YEAR PRIOR TO HIS BEING QUESTIONED ABOUT THE FOUR HUNDRED CONCEALED COMMUNISTS" and "DID NOT PREPARE A MEMORANDA [SIC] ON ANY OF THESE TWENTY INDIVIDUALS SINCE THE BUREAU ALREADY HAD ALL OF THE INFO THAT BUDENZ COULD SUPPLY."<sup>37</sup>

Demand for Budenz's information continued to be brisk. In October, the FBI's Los Angeles office wired that Budenz "WHILE VISITING IN [MOVIE MOGUL CECIL B.] DE MILLE'S OFFICE, HAD BEEN REQUESTED BY DE MILLE TO FURNISH A COMPLETE LIST OF CP MEMBERS FUNCTIONING IN THE HOLLYWOOD MOTION PICTURE INDUSTRY," and clearance from the Bureau was sought. Hoover declined, instructing that "ANY DECISION TO FURNISH DE MILLE OR ANYONE ELSE INFORMATION IN [BUDENZ'S] POSSESSION REMAINS HIS OWN."<sup>38</sup>

In late November, Budenz published in the December issue of *American Legion* magazine an article titled "How the Reds Invaded Radio," once again

---

<sup>36</sup>Scheidt to Director, 30 August 1950, FBI 100-63-364; Nichols to Director, 6 September 1950, FBI 100-63-371; *NY Times*, 30 August 1950 ("Bill for Rigid Curbs on Reds Is Passed By House, 354 to 20") and photo ("Louis Budenz in Washington Again"); *Wash. Times-Herald*, 1 September 1950 ("Budenz Names 380 Top Reds for Probers") in Ladd to Director, 6 September 1950, FBI 100-63-365.

<sup>37</sup>*Ibid.*; Scheidt to Director, 8 September 1950, FBI 100-63-372. On Hall, see Buhle *et al.*, *Encyclopedia of the American Left*, 293-294; Belknap, *cold war political justices*, 154.

<sup>38</sup>Hood to Director, 9 October 1950, FBI 100-63-377; Hoover to SACs NY and LA, 10 October, 1950, FBI 100-63-377. Hoover expressed some annoyance, noting at the bottom of Hood's message, "[s]ince Budenz seems to talk to others freely & without clearance with FBI, I don't see why he passes the buck to us in this particular matter. Pass it right back to him."



referring to unidentified concealed Communists. Questioned by the New York office on 7 December, he advised that "MOST OF THE INDIVIDUALS HE WAS THINKING OF WERE LISTED IN 'RED CHANNEL[S]'. He did mention some names, of which two were not redacted: Dorothy Parker and Lillian Hellman. "BUDENZ REVIEWED THE PUBLICATION 'RED CHANNELS' IN JUNE AND JULY, FIFTY," Scheidt explained, "AND HE PICKED OUT THE NAMES OF ALL INDIVIDUALS MENTIONED THEREIN WHOM HE CONSIDERED CONCEALED COMMUNISTS AND HE COMPILED DETAILED MEMORANDA CONCERNING EACH ONE." Ladd's report of this interview listed several individuals "previously identified ... as concealed Communists in the radio industry." The names not redacted were actors Cobb, Garfield, March, Sondergaard and Jaffe, and writer Shirley Graham (who two months later would marry W. E. B. Du Bois).<sup>39</sup>

By then, Budenz's list totaled 509 names (excluding the 45 names he had deleted), and he had dictated 407 "blind memos." Of the 407, only a handful of names were not redacted in the New York office's 8 December report, and of those only one appeared to be new: William Albertson, a Communist Party official in Michigan, indicted several months later in a Pittsburgh Smith Act case. With respect to the 102 individuals for whom no memo had been prepared, Budenz was still "unable to recall just how he came to know that these individuals were Communists." However, the report added, he expected during the upcoming Christmas holidays to provide names and information "concerning many more concealed Communists, possibly 100."<sup>40</sup>

"[I]llness in his family and other circumstances" prevented Budenz from augmenting his list during the Christmas holidays, the New York office advised, "even though he wanted to." However, the attention of the director's office had turned to the twenty individuals for whom no memo was prepared because, Budenz had said, he had given the necessary information the prior year. The New York office promptly supplied a list of the twenty names—all redacted except Lattimore and Edward G. Robinson.<sup>41</sup>

On 25 January 1951, Budenz's "400 list" took on enhanced importance. The

---

<sup>39</sup>Louis Francis Budenz, "How the Reds Invaded Radio," *The American Legion Magazine*, December 1950; Scheidt to Director, 7 December 1950, FBI 100-63-392; Ladd to Director, 26 December 1950, FBI 100-63-391, 5; Hoover to SAC NY, 28 November 1950, FBI 100-63-384. *Red Channels*, a list of 151 radio-TV industry names (substantially distilled from "Appendix IX," a large and indiscriminate listing of thousands of alleged Communists and Communist sympathizers compiled by the Dies Committee, HUAC's predecessor), was published in June 1950 and, along with its sister publication *Counterattack*, a weekly newsletter begun in 1947, became the foundation for the industry's blacklist. John Cogley, *Report on Blacklisting, vol. II Radio-Television* (Fund for the Republic, 1956), 1-21. Appendix IX: Robert K. Carr, *The House Committee on Un-American Activities: 1945-1950* (Ithaca, NY: Cornell University Press, 1952), 338 & note; Donner, *The Age of Surveillance*, 421. Graham: see <http://oasis.harvard.edu/html/sch00211.html>; Gerald Horne, *Race Woman: The Lives of Shirley Graham Du Bois* (New York: New York University Press, 2000).

<sup>40</sup>SAC NY to Director, 8 December 1950, FBI 100-63-387. On Albertson, see David Cauter, *The Great Fear: The Anti-Communist Purge Under Truman and Eisenhower* (New York: Simon and Schuster, 1978), 221, 586 n. 6.

<sup>41</sup>Director to SAC NY, 19 January 1951, FBI 100-63-394; SAC NY to Director, 24 January 1951, FBI 100-63-397.

director's office assigned the "Budenz cases" priority in the Bureau's work schedule, directing that they receive "immediate attention." The motivating factor was concern that HUAC would soon release Budenz's names to the press and that the Bureau would not have completed its work. Headquarters' letter to the New York office stated:

You are advised that these cases are considered extremely important by the Bureau because of the strong possibility that they may receive nation-wide publicity at any time. ... Accordingly, it is directed that the [name-deleted] case and all other cases involving the individuals named by Budenz receive immediate attention. ... It is desired that the Agents to whom these cases are assigned be so advised at once and that any such cases which may be unassigned at present be assigned without delay.

The letter closed with a specific instruction to Scheidt to "afford this matter your personal and continuous attention."<sup>42</sup>

The next day, Ladd provided the director with a detailed "summary of information obtained from Budenz since April, 1950, when he began furnishing information to the New York office concerning concealed Communists." Budenz, Ladd wrote, "has named 554 individuals as concealed Communists" but "has subsequently withdrawn the names of 45 individuals because he feels they are open rather than concealed Communists or because he is not sure of their identities." "[A]nother 102 individuals included in the original number," Ladd continued, "are considered by Budenz to be concealed Communists, however, he has thus far been unable to recall how he knew these individuals to be Communists." There remained 407 individuals for whom "Budenz has submitted memoranda ... wherein he has set forth information as to how he knew them to be concealed Communists."<sup>43</sup>

Ladd then provided a breakdown of the 407 cases:

- "209 individuals are Security Index subjects and 62 are Key Figures."
- "13 individuals named by Budenz are now deceased."
- "In 115 cases, the Budenz information has been included in investigative reports and disseminated to the Division of Records [in the Department of Justice]."
- "Three individuals named by Budenz are subjects of pending espionage cases and no dissemination of reports is being made at this time."
- "In five instances, Budenz has named individuals who are insane, are now informants, or where some other reason exists indicating that no further investigation should be requested of the field."
- "233 individuals who are subjects of memoranda by Budenz are being investigated by the field and reports containing Budenz' information in

---

<sup>42</sup>Director to SAC NY, 25 January 1951, FBI 100-63-398.

<sup>43</sup>Ladd to Director, 26 January 1951, FBI 100-63-399.

these cases will be disseminated to the Department unless some logical reason to the contrary exists.”

(Ladd’s numbers in the aggregate exceeded 407, but the areas of overlap were not further clarified.)<sup>44</sup>

Headquarters’ demand for expedition of the “Budenz cases” exhausted the resources of the New York office, particularly its “Section #12,” charged with handling “Security Matter – C” and “Loyalty of Government Employees” cases. On 5 February Scheidt complained:

Since all of the agents handling Security cases are heavily assigned already, it has been necessary to leave in an unassigned status about 1,800 Security Matter cases or 53% of the total pending. Many of these unassigned cases are ... [in categories] assigned on a priority basis prior to the recent heavy increase in the case load.

“Section #12,” he added, had handled or was currently handling 225 of Budenz’s 407 names, and 58 were “being handled” by other sections of the New York office “because they are key figures, etc.”<sup>45</sup>

Headquarters, however, was unyielding. “[T]here is a strong possibility,” its response stated, “that the list of individuals named by Budenz may receive publicity at any time.” Accordingly, “[y]ou should make certain that each and every one of the Budenz cases now pending in your office is assigned and is receiving current investigative attention.” Budenz, moreover, was to be recontacted “at the earliest opportunity in order to obtain whatever further data he may have concerning concealed Communists.”<sup>46</sup>

The HUAC front, as FBI headquarters may have anticipated, became active again on 5 March, when Budenz was served with another committee subpoena. He advised the Bureau the next day that he had been told to be ready to testify about “THE FOUR HUNDRED CONCEALED COMMUNISTS.” But HUAC’s focus was in fact more limited: it was once more investigating the film industry, and Budenz was expected to testify “CONCERNING THOSE OF THE FOUR HUNDRED WHO ARE CONNECTED WITH HOLLYWOOD.” In particular, he was to testify about Edward G. Robinson, then in the prolonged process of being *cleared*. Headquarters immediately ordered the New York office to “OBTAIN ALL NAMES OF THOSE CONCEALED COMMUNISTS ASSOCIATED WITH SCREEN OR RADIO WHO MAY BE MENTIONED.”<sup>47</sup>

---

<sup>44</sup>*Ibid.*

<sup>45</sup>Scheidt to Director, 5 February 1951, FBI 100–63–400.

<sup>46</sup>Director to SAC NY, 21 February 1951, FBI 100–63–400; Director to SAC NY, 6 February 1951, FBI 100–63–401.

<sup>47</sup>HUAC subpoena, 2 March 1951, signed by John S. Wood, Chairman, in HUAC Records; Scheidt to Director, 7 March 1951, FBI 100–63–406; Hoover to SAC NY, 9 March 1951, FBI 100–63–407. HUAC had conducted a highly-publicized inquiry of the motion picture industry in 1947. “Again [in 1951],” Walter Goodman wrote, “Hollywood called. Nowhere could the Committee find targets who were so celebrated and so vulnerable” (*The Committee*, 298). Robinson: see John Cogley, *Report on Blacklisting, vol. 1 Movies* (Fund for the Republic, 1956), 94–95 (HUAC “had no proof of [Robinson’s] Party membership, past or present”); Navasky, *Naming Names*, 88 (the clearance process was complicated by the fact that Robinson, a “non-Communist,” “had no definite CP names to name”).



FIG. 4. Edward G. Robinson and J. Edgar Hoover chatting on a movie set (c. 1929), two decades before Budenz named Robinson to the FBI in his “400 list” (Image donated by Corbis – Bettman).

Although Budenz had named Robinson as a “concealed Communist,” he had not given the Bureau a supporting memorandum. Interviewed on 13 March, he said that he had named Robinson on the basis of “REPORTS I RECEIVED FROM OFFICIAL COMMUNISTS.” Nor was his lack of direct personal knowledge in Robinson’s case atypical. While 102 of the concealed Communists he had named were deemed “possibly associated” with the radio, screen, or television industries, Budenz had “no independent recollection” of any of them.<sup>48</sup>

*Footnote continued*

Robinson had been named in *Red Channels* for his long-time association with “front” groups (Goodman, *The Committee*, 298, 304). He appeared voluntarily before HUAC on three occasions, each time denying Party membership; on the third occasion, in April 1952, he stated that he had been duped by the Communists. (Edward G. Robinson with Leonard Spigelgass, *All My Yesterdays: An Autobiography* (New York: Hawthorn Books, 1973), 262–264.) At the time of Budenz’s testimony, the tough-guy character actor had appeared in nearly 50 movies over two decades, from “Little Caesar” (1930) to “Key Largo” (1948) (<http://www.eonline.com/Facts/People/0, 12, 13408, 00.html>). Budenz’s “blind memo” for Robinson states, “I have never met him personally but have seen many photos of him” (“Re: Edward G. Robinson,” undated, in FBI 62–8988, changed to 66–6709, sub: C, vol: 5).

<sup>48</sup>Scheidt to Director, 13 March 1951, FBI 100–63–409; SAC NY to Director, 12 March 1951, FBI 100–63–408; Scheidt to Bureau, 10 March 1951, FBI 62–8988–357. The 12 March report listed the

On 14 March, Budenz testified in Washington at a closed session of HUAC presided over by Rep. Francis E. Walter, a Pennsylvania Democrat (later HUAC's chairman), serving as a one-member subcommittee. His appearance was brief. The "list of names" he had given HUAC the preceding August was first "made a part of the record." Then, asked about Robinson, Budenz named him a "concealed Communist" "not from personal knowledge but from official reports that I have heard in the Communist Party." One report, he said, was given "early in 1940" by V. J. Jerome, a Party "cultural" official, who stated that at a time when Communists in Hollywood were under attack Robinson "had stood like a man with us." In "the middle 1940s," Budenz continued, two other Party officials, Lionel Berman and Robert Reed, "mentioned Mr. Robinson as associated with the Communist Party."<sup>49</sup>

HUAC's questioning, by Louis J. Russell, a senior investigator, turned to Charlie Chaplin. Jerome, Budenz testified, "discussed Chaplin in reports to the Politboro," and "we were told by Jack Stachel that we must defend Chaplin at all costs because he was the outstanding Communist artist in the United States." Chaplin, Budenz added, had submitted the script for "Modern Times," his 1936 classic, to "the Soviet Censorship Board in Moscow to get their opinion."<sup>50</sup>

In succeeding weeks, the FBI sought urgently to complete its work on the "400 list." On 27 March, the New York office, having not yet submitted reports in "165 cases involving concealed Communists named by Budenz," was assigned a deadline of 5 June. On 10 April, it reported that 68 of the reports had been completed and five more were in dictation; a month later, it reported only 49 cases remaining. In late April, Budenz helped out by dictating at least a dozen "400 memos." Of those individuals, the only name not redacted was Nathan Gregory Silvermaster, a former government economist who led an espionage group during World War II for which Elizabeth Bentley served as courier, and about whom Bentley had given detailed public testimony in 1948.<sup>51</sup>

On 11 June, the New York office reported (with evident relief) that of the 301 "BUDENZ cases" originating in its region it had submitted reports

---

*Footnote continued*

102 names—all redacted except for Cagney, Chaplin, Cobb, Guthrie, Hellman, Jaffe, Lardner, March, Mostel, Robeson, Robinson, Sondergaard and (a new name) actress Frances Farmer.

<sup>49</sup>Typed transcript of testimony of Louis Budenz, Hearings before the Committee on Un-American Activities, House of Representatives, 14 March 1951, pp. 1–13, in HUAC Records ("HUAC tr."). The FBI obtained a copy of the transcript shortly afterward; an agent's handwritten memorandum notes that Budenz had "formally placed in the record the memos of the 'Concealed Communists' (name-deleted SA "memorandum," 3 April 1951, FBI 62–8988–366). This author, however, was unable in 2003 to locate the "memos" or list of "concealed Communists" among the massive quantity of HUAC records delivered to NARA in Washington when the committee went out of business in 1975.

<sup>50</sup>HUAC tr. at 11–12.

<sup>51</sup>Director to SAC NY, 27 March 1951, FBI 100–63–413; SAC NY to Director, 10 April 1951, FBI 100–63–417; SAC NY to Director, 10 May 1951, FBI 100–63–422; SAC NY to Director, 8 May 1951, FBI 100–63–421. Silvermaster: 1948 HUAC Hearings, 507–11, 517–28, 604–11 (Bentley testimony); Haynes and Klehr, *VENONA*, 129–50; Latham, *The Communist Controversy in Washington*, 167–179.

“incorporating the information furnished by BUDENZ and bringing the subjects’ activities up to date, in all but one case”—a case in which the file “has been unavailable, thus preventing this office from complying with the Bureau deadline of June 5.” But Budenz was not yet finished: on 19 and 26 June, he came to the New York office and “dictated memos on 67 individuals.” Whether the 67 names were new (all are redacted) is unclear; the New York office’s report stated that these “67 added to the 427 individuals whom BUDENZ has described as concealed Communists and concerning whom he has dictated a ‘400 memo’ now brings the total to 494.”<sup>52</sup>

But the matter still would not die. Eleven months later, in May 1952, the “400 list” once more became news, when Joe McCarthy charged in a radio interview that the Justice Department had “done nothing” about the individuals Budenz had named. “I think it would be an excellent thing,” the senator stated, “if the Justice Department would pick up some of those under-cover Communists instead of concentrating all of their time on the well-known Communists.” However, he defended the FBI, pointing out that it “has no power to fire Communists in government except those working in the FBI.”<sup>53</sup>

McCarthy’s charge created a new “numbers” issue within the FBI, namely, the number of individuals named by Budenz whose cases had been sent to the Justice Department. That issue in turn required tracing what happened in each case after Budenz supplied the name. On 20 May, Ladd informed the director that Budenz had given memoranda on 492 individuals and that all have been “checked through the Bureau’s indices and where necessary, separate case files have been opened for investigation and many subjects have been subsequently included on the Security Index as a result thereof.” In nine cases, Ladd continued, “no further investigation” was warranted, and nineteen individuals “are now deceased.” In the remaining 464 cases, “investigative reports” were sent to the Justice Department, except four cases still pending in the Bureau and two cases involving “espionage investigations” where dissemination to the Justice Department might “jeopardize the security of [a] double agent.”<sup>54</sup>

Hoover, who apparently did not get beyond Ladd’s first number, penned in the margin of the report: “Just how many of the 492 were sent to the Dept?” The answer, 458 cases, was quickly supplied him, and he passed it on to James M. McInerney, the assistant attorney general in charge of the Criminal Division. McInerney was also given the names not previously communicated to the Department, including the names of the nineteen deceased individuals.<sup>55</sup>

<sup>52</sup>SAC NY to Director, 11 June 1951, FBI 100–63–423; SAC NY to Director, 30 June 1951, FBI 100–63–428.

<sup>53</sup>*Washington Times-Herald*, 19 May 1952 (“Justice Dept. Ignoring Reds, Says M’Carthy”) (INS dispatch), in Ladd to Director, 20 May 1952, FBI 100–63–454. The following year, McCarthy as chairman of his investigations subcommittee asked Budenz about the list when he appeared as a witness; Budenz termed it “[a] substantial list,” “quite a colossal undertaking,” that “has never been completed, because of physical limitations” (Overseas Libraries Hearings, 53).

<sup>54</sup>FBI 100–63–454.

<sup>55</sup>*Ibid.*; Belmont to Ladd, 22 May 1952, FBI 100–63–455; Director to Asst. Atty. Gen. McInerney, 27 May 1952, FBI 100–63–455; Belmont to Ladd, 27 May 1952, FBI 100–63–457. No disclosure of names was made in the two cases involving a double agent.



FIG. 5. Owen Lattimore at the witness table, with attorney Abe Fortas (on his right), during the Senate Internal Security Subcommittee's IPR hearings, July 1951 (Image donated by Corbis – Bettman).

Prominent among the deceased (their names were *not* redacted) were anthropologist Franz Boas, who taught at Columbia University for four decades and died in 1942; Walter Bradford Cannon, an experimental physiologist at Harvard, who in 1943 following his retirement became president of the American Soviet Medical Society and died two years later; and Agnes Smedley, described by Klehr, Haynes and Firsov as “an integral, although ill-disciplined, part of the Comintern apparatus in China,” known to the FBI for years, who was publicly accused in a US Army report in February 1949 and died in England the following year.<sup>56</sup>

\* \* \* \*

With the “400 list” episode behind him, Budenz continued his career as an informer-witness. In August 1951, he testified before Senator Pat McCarran's Internal Security Subcommittee, then engaged in lengthy hearings intended to

<sup>56</sup>FBI 100–63–455. Boas “was the founder of the relativistic, culture-centered school of anthropology that became dominant in the 20th century.” (*The New Encyclopedia Britannica*, 15th edn, 2002, vol. 2, pp. 306–307). Cannon: *ibid.* at pp 806–807 (Cannon “was the first to use X rays in physiological studies”); [http://www.harvardsquarelibrary.org/unitarians/cannon\\_walter.html](http://www.harvardsquarelibrary.org/unitarians/cannon_walter.html). Smedley: Klehr, Haynes and Firsov, *The Secret World of American Communism*, 60–70; Janice R. MacKinnon and Stephen R. MacKinnon, *Agnes Smedley: The Life and Times of an American Radical* (Berkeley, CA: University of California Press, 1988), 325–329, 345.

demonstrate that Communists in government were responsible for the “loss” of China. Budenz once again named Lattimore, who, in the face of relentless grilling by the subcommittee, again denied his charges.<sup>57</sup>

This time Budenz also named John Carter Vincent, a veteran State Department official, who with Lattimore had accompanied Vice President Henry A. Wallace on a 1944 mission to wartime China. He knew Vincent to be a Party member, Budenz testified, on the basis of “official reports that I have received”; Vincent’s membership was “an official Party secret”; Stachel had told him about Vincent. Before the Tydings subcommittee, Budenz had virtually been invited by Senator Bourke Hickenlooper (R-Iowa), a McCarthy ally, to name Vincent (like Lattimore a McCarthy target), and he had dodged the invitation, saying he intended to submit a list of names later and wanted to be “careful in my statements.” Vincent, who was then serving as American minister to Switzerland, had denied the charges and was cleared by the State Department.<sup>58</sup>

The FBI closely examined Budenz’s testimony before the McCarran subcommittee and in internal documents questioned his reliability. A report to Ladd stated:

The reliability of Budenz in instant testimony must be classed as unknown. In this testimony are at least seven instances in which Budenz either furnishes information differing from that furnished previously either to the Bureau or before the Tydings Committee, or relative to certain occurrences gives testimony which he has never made known before.

The Bureau’s response, however, was simply to re-interview him, ultimately eliciting this explanation of the discrepancies between his committee testimony and statements to the FBI: “WHEN TESTIFYING BEFORE THE COMMITTEE, BUDENZ STATED THAT HE FURNISHES INFO WHICH HE KNOWS TO BE A FACT, HOWEVER, WHEN FURNISHING INFO TO THE BUREAU, HE FURNISHES ONLY THAT INFO WHICH IN HIS OPINION HE CAN PROVE TO BE A FACT.”<sup>59</sup>

---

<sup>57</sup>Hearings, Institute of Pacific Relations, Before the Senate Subcommittee to Investigate the Administration of the Internal Security Act, 82nd Cong., 1st & 2nd Sessions (1951–52) (“IPR Hearings”), 513–701 (Budenz testimony). Lattimore testified on twelve hearing days, and his testimony and related materials cover pages 2897 to 3674 of the published hearings. See Packer, *Ex-Communist Witnesses*, 158–177; Cook, *The Nightmare Decade*, 368–375; Newman, *Owen Lattimore*, 365–377.

<sup>58</sup>IPR Hearings, 625–627, 679. Hickenlooper “invitation”: Tydings Hearings, 613. In Robert P. Newman’s description, Vincent was “a conservative and dignified Southern Baptist ... as innocent of communism as was the angel Gabriel” (*Owen Lattimore*, 362). See Cook, *The Nightmare Decade*, 223–225. Although a senior State Department official, Vincent (like Lattimore) was never mentioned by Budenz in his early FBI interviews; an internal memo in late 1952 reports that Budenz first named Vincent to the Bureau on 20 April 1950—the date of his public appearance before the Tydings subcommittee (Ladd to Director, 30 December 1952, FBI 100–24628–4022). The memo does not disclose whether Vincent was placed on the “400 list.”

<sup>59</sup>Laughlin to Ladd, 25 September 1951, FBI 100–63–431; Scheidt to Director, 4 October 1951, FBI 100–63–433; Scheidt to Bureau, 20 October 1951, FBI 62–8988–402, 2 (Budenz explanation); SAC NY to Director, 23 October 1951, FBI 62–8988–407, 3 (same).



In December 1952, Budenz appeared before the Cox committee, a special House committee established to investigate tax-exempt foundations—the Ford Foundation was a prime target—that “are using their resources for un-American and subversive activities.” The Communist Party, he told the committee, had established a “subcommission on foundations” whose specific objective was “the organizing of non-Communists or concealed Communists to influence the foundations.”<sup>60</sup>

Among “concealed Communists” associated with foundations (mostly as grant recipients), Budenz named W. E. B. Du Bois, who he said “became a member of the Communist Party in 1944 when this was called to my attention officially by Jack Stachel”; Yale law school professor Thomas I. Emerson, named on the basis of “repeated official communications, especially in regard to activities in the [National] Lawyers’ Guild and in other fronts”; Columbia law school professor Walter Gellhorn, associated with a “civil-liberties study” at Cornell, about whom Budenz “repeatedly had official communications”; and scientist Linus Pauling, a member, Budenz said, of many Communist fronts, who was, Budenz was “officially advised a number of times,” “a member of the Communist Party under discipline.”<sup>61</sup>

Budenz’s testimony triggered a burst of denials. Gellhorn appeared before the committee to deny Party membership in sworn testimony; Pauling issued a statement noting that he had previously denied Party membership under oath; Emerson stated that Budenz in one of his books had termed him a “dupe” of the Communists, not a Party member.<sup>62</sup>

A contemporaneous FBI memo reports Budenz’s assurance to the Bureau that he had previously “furnished” it “information of the Communist affiliations” of all 30 individuals he named to the Cox committee—but the memo does not specify whether the 30 were included on his “400 list.” Du Bois, named by Budenz to the Cox committee, was definitely on the list. According to Robert P. Newman, writing in 1992, Pauling, Emerson, and Gellhorn (also named to the Cox committee) and Vincent (named to the McCarran subcommittee) were on the “400 list” as well. Newman states that in addition Albert Einstein was listed. But these names (other than DuBois’s), if listed, were redacted in the copy of Budenz’s file released to this author by the FBI in 2000.<sup>63</sup>

---

<sup>60</sup>Hearings, Tax-Exempt Foundations. Before the Select Committee to Investigate Tax-Exempt Foundations and Comparable Organizations, 82nd Cong., 2nd Session (1952) (“Cox Hearings”), 716–727 (Budenz testimony); Cox committee mandate: H. Res. 561. 82nd Congress, 2nd Session (1952).

<sup>61</sup>Cox Hearings, 722 (Du Bois), 723 (Emerson, Pauling), 725 (Gellhorn).

<sup>62</sup>*NY Times*, 24 December 1952 (“House Unit To Hear Dulles On Hiss Tie” and “Strong Denials Issued”); 25 December 1952 (“Lamont, M’Williams Deny Red Party Ties”); 31 December 1952 (“2 Educators Deny Communist Links”); *Wash. Star*, 24 December 1952 (“Atom Scientist Replies to Budenz Testimony; Calls Ex-Red a Liar”); 1 January 1953 (“Budenz Was Lying, Accused Men Testify”).

<sup>63</sup>Belmont to Ladd, 30 December 1952, FBI 100–63–NR; Newman, *Owen Lattimore*, 610 n. 55 see note 23. Newman states that the “400 list” includes, in addition to those mentioned in the text, novelist Kay Boyle, artist Rockwell Kent, Senator Elbert K. Thomas (D-Utah), historian Henry Steele

In October 1954, Budenz made an unusual appearance as a witness in a proceeding before the Republican-controlled Federal Communications Commission. The FCC, whose chairman, John C. Doerfer, was a McCarthy associate, was seeking to deny renewal of valuable broadcast licenses held by Edward Lamb, because of his alleged Communist ties. Lamb, a one-time left-wing lawyer from Toledo, had become a wealthy businessman, as well as a prominent Democrat. In the course of the bizarre proceeding, no fewer than three of the agency's witnesses against Lamb recanted their testimony.<sup>64</sup>

Unsurprisingly, Budenz had been called to testify that Lamb was a concealed Communist. In this instance, however, the two men actually had been acquainted. Twenty years earlier, in 1934, before Budenz joined the Communist Party, he and Lamb had been involved in the violent Auto-Lite strike in Toledo, which led to the formation of an industrial union of auto workers. As an activist with the Muste-founded National Unemployed League, Budenz supported the strikers and was arrested at the company's behest. Lamb, who represented the Ohio Unemployed League, ended up defending Budenz and obtaining his release. The Communist Party, Budenz later wrote, was displeased by the outcome of the strike, and the *Daily Worker* "poured vials of rhetorical acid upon my head—for having planted the union banner in the automobile industry!"<sup>65</sup>

However, in 1954, Budenz was not there to discuss old times in Toledo. At

---

*Footnote continued*

Commager, former FCC commissioner Clifford Durr, China historian John K. Fairbank, *The Nation's* Carey McWilliams, and Rep. Adolph Sabath (D-Ill.), a chairman of the House Foreign Affairs committee. He believes that the FBI's responses at different times to a given FOIA request may vary. (Newman to Lichtman, 25 January 2004.) This author is currently seeking clarification from the Bureau. As to Einstein, Budenz wrote in *Men Without Faces* that while "[h]is name can be found on many Communist fronts," Einstein was not a Communist but rather an example "of the way well-known men and women of unquestionable integrity are deceived and exploited by the Communists" (p. 211; see also *id.* at 243). Recently, the FBI posted Einstein's 1,427-page file on the Internet ([foia.fbi.gov/einstein.html](http://foia.fbi.gov/einstein.html)), stating that an "investigation was conducted by the FBI regarding the famous physicist because of his affiliation with the Communist Party"; he was, the Bureau says, "a member, sponsor, or affiliated with thirty-four communist fronts between 1937–1954." See Fred Jerome, *The Einstein File: J. Edgar Hoover's Secret War Against the World's Most Famous Scientist* (New York: St. Martin's Press, 2002).

<sup>64</sup>Transcript of hearing, *In the Matter of Dispatch, Inc., Erie, Pennsylvania*. Docket No. 11048 (FCC, 1954) (hereinafter "FCC Lamb Tr."); Budenz's extended testimony begins at p. 1805 of the transcript. See Edward Lamb, *No Lamb for Slaughter: An Autobiography* (New York: Harcourt, Brace & World, 1963), 123–190; Edward Lamb, "Trial By Battle": *The Case History of a Washington Witch-Hunt* (Santa Barbara, CA: Center for the Study of Democratic Institutions, 1964), 3–21; *NY Times*, 5 October 1954 ("Article By Lamb Cited"), 6 October 1954 ("Lamb Accused of Red Aid").

<sup>65</sup>Budenz acknowledged in his testimony, "I met Mr. Lamb in May, 1934, when he kindly defended me in the Auto Light [sic] strike" (FCC Lamb Tr. 1813). Budenz, *This Is My Story*, 96–97; Lamb, *No Lamb for Slaughter*, 40–42. J.B. Matthews's file on Lamb contains substantial materials detailing Lamb's and Budenz's roles in the Auto-Lite strike. (Box 618, File: Lamb, Edward, 1934–64 and n.d., J. B. Matthews Collection, Special Collections Library, Duke University ("JBM Collection").) Lamb in his book dismisses Budenz as no more than "a sort of Trotskyite follower"; but contemporaneous documents in Matthews's file show that Budenz's arrest received personal attention from both A. J. Muste and Roger Baldwin, who dispatched civil-liberties lawyer Arthur Garfield Hays to Toledo to help out.

the hearing, held before an FCC hearing examiner, he tried to testify that Jack Stachel told him Lamb was a concealed Communist. But Lamb's attorney objected to the proffered testimony as hearsay. The hearing examiner, Herbert Sharfman, had discretion in ruling, for hearsay evidence was often admitted in administrative proceedings. But Sharfman sustained the objection and excluded from evidence Budenz's account of what Stachel told him.<sup>66</sup>

A heart attack in February 1955 and then more serious attacks in 1957 put an end to Budenz's appearances as a witness. His succeeding years were marked by declining health and financial difficulties aggravated by the costs of his illness. He continued to write, but in a period when "co-existence" had become acceptable, the audience for his fiercely hard-line anti-Soviet views and his continued warnings of rampant domestic Communist subversion had diminished. In the late 1950s, J. B. Matthews and Alfred Kohlberg, assisted by Archbishop (soon to be Cardinal) Richard Cushing of Boston, raised money to assist Budenz and his family with their bills. In 1966, Budenz published his final book, *The Bolshevik Invasion of the West*. He died, at age 80, on 27 April 1972.<sup>67</sup>

The *New York Times's* obituary cited Budenz's appearance as a government witness "in no fewer than 60 proceedings." He had, the *Times* wrote, "named scores of persons—generals, diplomats, writers, professors, ministers, artists, actors and others—as Communists or fellow travelers." The obituary did not mention his "400 list," already long forgotten.<sup>68</sup>

However, the story of the "400 list," which at the time drew the close attention of HUAC and the press, and to which the FBI assigned a high priority and devoted thousands of man-hours of effort, merits study. Although conceived simply as a device to sell his new book, Budenz's announcement of the "400 list" brought forth an excited response from the FBI, one that reflected the credence then accorded by the public to the pronouncements of "professional" ex-Communist informers—not only Budenz, but also Paul Crouch, Matt Cvetic, Harvey Matusow and a few others. The Bureau's overriding concern was that Budenz's names would be given "nation-wide publicity" and that its handling of the matter might be criticized.<sup>69</sup>

---

<sup>66</sup>FCC Lamb Tr. 1912–13; see Lamb, *No Lamb for Slaughter*, 141–142. FCC counsel stated for the record that Budenz's intended testimony was, "Mr. Stachel [sic] in his capacity as liaison officer to the Daily Worker from the Politbureau, stated to Mr. Budenz in his official capacity as Editor of the Daily Worker, that Mr. Lamb was a concealed member of the Communist Party."

<sup>67</sup>The fundraising efforts are detailed in materials contained in Box 664, File: Budenz, Louis M., 1931, July–1959, JBM Collection. The "Friends of Louis F. Budenz" letterhead employed for the fund requests included the names of Joe McCarthy and Francis E. Walter, along with Matthews and Kohlberg.

<sup>68</sup>*NY Times*, 28 April 1972 ("Louis Budenz, McCarthy Witness, Dies").

<sup>69</sup>Both Ladd and the director had no hesitation in tracing the origin of the "400 list" to Budenz's book. (FBI 100–63–454; FBI 100–63–455.) On "professional" informers, see Rovere, "The Kept Witnesses," 113–132; Caute, *The Great Fear*, 116–138. Other informers: see Daniel J. Leab, *I was a Communist for the FBI: The Unhappy Life and Times of Matt Cvetic* (University Park: Penn State Press, 2000); Robert M. Lichtman and Ronald D. Cohen, *Deadly Farce: Harvey Matusow and the Informer System in the McCarthy Era* (Urbana, IL: University of Illinois Press, 2004).

Considerations of national security had little to do with the FBI's response. The Bureau's file materials (at least those made available) do not even hint that its headlong pursuit of Budenz's names stemmed from a need to discover individuals posing a security threat. The individuals named in most cases were known to the Bureau and had already been the subject of scrutiny. Many were in the FBI's "Security Index," marked for internment in the event of a national emergency. Three were involved in pending "espionage investigations"—possibly Lattimore (the subject of a then-current investigation), Silvermaster, Chevalier. Arguably, the Bureau's pursuit of Budenz's names *prejudiced* the national security by diverting sizable resources from "real" cases, as Edward Scheidt complained to headquarters.

Evaluation of the class of individuals Budenz named is made difficult by the fact that only a relative handful of names was left unredacted by the FOIA censors (about 50, out of roughly 500 names). However, it is not without significance that the unredacted names were preponderantly those of artists, writers and academics. Some were cultural icons—Chaplin and Cagney, Robeson and Guthrie, Mostel and Cobb, Hellman and Parker, DuBois and Boas. If these are indeed representative of the universe of individuals named by Budenz, then the Bureau's action in placing so many of them on its "Security Index" seems subject to question.<sup>70</sup>

The vast majority of those Budenz put on the "400 list" were, we may assume, at one time sympathetic to, or had defended, the Party or some of its policies. His list, however, as he told the FBI, was not directed at sympathizers or allies but at "*Communists*," individuals who accepted Party discipline in an organizational sense. The distinction was not inconsequential, for Party membership in the McCarthy era entailed serious liabilities. While many of those Budenz named were surely Party members—some even Party officials (*e.g.* William Albertson), some long since identified (*e.g.* Silvermaster)—others on the "400 list" likely were not Communists, as HUAC's reluctance to make the names public and to face hundreds of denials may indicate.

The incremental impact upon listed individuals of having been named by Budenz is likewise hard to assess. Ladd told the director that "many subjects" had been added to the "Security Index." In a number of cases, new FBI files were opened. In every case, a "400 letter" was placed in the file and a "400 memo" dictated by Budenz. For Owen Lattimore, Budenz's charges led

---

<sup>70</sup>See the *Guardian*, 22 September 2003 ("US felt ban on Graham Greene 'tarnished its image'") reporting, on the basis of materials recently obtained under FOIA, that in 1952 British novelist Graham Greene was "placed under guard and put on a plane out of America" by reason of his four-week membership in the British Communist Party in 1923, allegedly as a "joke," while a nineteen year-old student at Oxford. William F. Buckley, Jr, in a 1955 address ("Art and the Fellow-Traveler") at a program honoring HUAC members, defended the purge of left-wing entertainers and artists. "The pro-Communist artist," he argued, "as the willing or unwilling agent of a revolutionary system, must, if he insists on it, be dealt with as a human being rather than as an artist, or entertainer." "[P]ast and present members of Communist organizations," Buckley continued, "are burdened with an obligation that can only be discharged by overtly—and subjectively—renouncing the organizations which, in their blindness, they supported" (Box 649, File: (The) Alliance, September 1954 – June, 1958, JBM Collection).

ultimately to perjury indictments, not dismissed by the courts until years later, and a ruined academic career. Linus Pauling, who may or may not have made the "400 list," was refused a passport around the time of Budenz's charge. As to others on the list, one can only speculate. The nature of the charge, being a "concealed Communist," made it difficult to rebut: the absence of any corroborating evidence was fully consistent with guilt, because Budenz had warned that the Communists sought to "conceal" the accused's membership. The listees in any case were unlikely to be aware he had named them.<sup>71</sup>

There remains the issue of Budenz's credibility. The evidence suggests he fashioned a fail-safe technique, one that enabled him to accuse virtually at will any individual with even modest left-wing coloration—e.g., one listed on a "front" letterhead or in *Red Channels* (both of which Budenz used as prompts in compiling the "400 list"). Using his technique, Budenz did not need to know the individual at all; the only persons able to challenge his assertion were Party officials who could not do so without risking self-incrimination (and who in any case, as members of the Communist conspiracy, were not to be believed); and the very absence of evidence supporting his charge tended to prove it.<sup>72</sup>

Budenz's accusations, of course, were not invariably wide of the mark. His early FBI interviews, immediately after his defection and before he had embarked on his new and very public career, were likely quite credible. Haynes and Klehr report that his claim in *Men Without Faces* that Eugene Dennis, a top CPUSA official (later its general secretary), directed a ring of Communist agents in the Office of Strategic Services (OSS) during World War II is confirmed in VENONA messages and in documents in Soviet archives. A second charge of espionage made in *Men Without Faces*, they report, this one against Boleslaw Gebert, a CPUSA official prior to World War II and a Polish diplomat after the war, likewise finds support in VENONA messages. But Budenz's wholesale accusations of "concealed" Party membership, based solely on "official" information supplied by Jack Stachel or some other Party official certain to be unavailable, are quite another story.<sup>73</sup>

---

<sup>71</sup>Lattimore: Newman, *Owen Lattimore*, 400–492. Pauling: Kutler, *The American Inquisition*, 89–91. Pauling did not win his first Nobel Prize until 1954. Budenz, in 1951, told the McCarran subcommittee that it was "significant" (i.e., probative of his charge) that he had never met Lattimore, because "many men of Mr. Lattimore's functioning were directed specifically to avoid all contacts with official Communist organs that would commit them in any way in the public eye" (IPR Hearings, 558).

<sup>72</sup>Herbert L. Packer commented in 1962: "Once it recognized that the source of [Budenz's] information is almost always hearsay rather than direct knowledge, it becomes apparent that much turns on where he gained his information. An air of formality and precision is lent to his identification of Communist affiliation by the frequently repeated assertion that his knowledge was derived from 'official reports' ... But on closer inspection it becomes apparent that an 'official report' may be anything one Communist says to another, or, at least, anything that one of Budenz's superiors in the Communist movement said to him" (*Ex-Communist Witnesses*, 175–176).

<sup>73</sup>Haynes and Klehr, *VENONA*, 218, 234; Klehr, Haynes and Firsov, *The Secret World of American Communism*, 280–281; Budenz, *Men Without Faces*, 55–58, 60–61 (Gebert), 252 (Dennis). Dennis had been invited by OSS director William Donovan to recommend recruits for the new intelligence service. Maurice Isserman, *Which Side Were You On? The American Communist Party during the Second World War* (Urbana, IL: University of Illinois Press, 1993), 182–183. Neither the VENONA messages nor the Soviet documents appear to mention Owen Lattimore.

The FBI, able to observe Budenz closely and to compare his statements over the years, had doubts about his credibility. But to Hoover's agency, the adverse impact of potentially false charges on "400 list" individuals, largely left-wing artists and academics, was not a matter of concern.

\* \* \*

ROBERT M. LICHTMAN, a Washington, DC lawyer for nearly 30 years, has practiced in San Francisco since 1986. He has argued frequently in Federal appellate courts. He is the author, with Ronald D. Cohen, of *Deadly Farce: Harvey Matusow and the Informer System in the McCarthy Era*, published by the University of Illinois Press in 2004.